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UNCLAS SECTION 01 OF 03 PARIS 001338

SIPDIS

G/TIP FOR DONNELLY, G, INL, DRL, RPM, IWI, EUR/PGI FOR  
BUCKNEBERG, EUR/WE FOR LARREA

E.O. 12958: N/A

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SUBJECT: FRANCE CONTRIBUTION FOR 2006 TIP REPORT - PART II  
OF II

REF: STATE 3836

VICTIM PROTECTION AND ASSISTANCE - Question 24  
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1A. A trafficking victim who files a complaint against his/her trafficker(s) or who testifies against him/her is eligible for a temporary three-month card providing residency status and a work permit. If the police can corroborate the victim's report (with reference to names, locations, etc.), the temporary card can be renewed for another three months for a total of six months, and then again for an additional six months. If the trafficker against whom the victim made the complaint or testified is convicted, the victim is eligible for a permanent residency card (Article 76 of Law on Internal Security, Official Journal of March 19, 2003). An association, the Accompaniment Places of Welcome (ALC), provides long-term shelter services for trafficking victims in metropolitan France and Corsica. Thirty-three associations provide 42 places in 36 shelters across France for trafficking victims, and belong to the ALC. The government funds three-quarters of the ALC budget, with the City of Paris funding the last quarter. From January to September 2005, the ALC received notifications on 45 trafficking victims in need of shelter from French associations. ALC placed 35 of the victims in shelters, 11 of whom eventually returned to their country of origin. ALC-member shelters provide judicial, administrative, health, and psychiatric assistance; help in finding a job or getting new training; assistance to the victim to return to his/her country of origin if that is what he/she wants; and food and lodging.

On October 31, the Interior Ministry issued a circular reminding police, prefecture, and departmental leaders of the means by which they can authorize temporary residence permits and encouraging them to consider disseminating them more broadly. The text includes a specific reference to the residence permits that can be authorized in conjunction with the 2003 Law on Internal Security (LSI) for trafficking victims. It clarifies that the temporary residence permit that can be offered to trafficking victims is for six months (rather than three) and encourages authorities to take into consideration the presentations that NGOs make on the victim's behalf when considering whether to grant a permit. The circular further reminds that a principal condition of the granting of the permit is the victim's total cutting of ties with the persons exploiting her or him. One NGO calls the circular's call on French authorities an "interesting advance" because of the clause calling on authorities to consider the humanitarian situation of victims even if they have not/not cooperated in an investigation for fear of reprisal. The exact language of the circular reads (informal Embassy translation): "Beyond the hypotheses envisaged by the law (2003 LSI), other situations of distress can justify a humanitarian and benevolent examination. In this regard, I ask you to give particular attention to all the victims of modern slavery who seek a temporary residence permit, alone or supported by an association, without having necessarily cooperated with the police or justice system nor immediately testified against their exploiters for fear of reprisals. In this case, I ask you to implement your power of appreciation to examine humanly sensitive situations, when there appear serious indicators letting one presume the quality of the asking victim, resulting from the realistic character of his/her story, of his/her having been taken in charge by an association and the proofs that he/she furnishes on behalf of his/her will to rejoin society." (Ministry of Interior, Circular NOR/INT/D/05/00097/C, October 31, 2005)

1B. See above, the government provides the bulk of the budget of the NGO in charge of the shelter network.

1C. Social services, NGOs, or police can call the ALC to request placement for a victim. There are short-term emergency centers that host the victim while the long-term shelter is preparing to receive her/him. The entry questionnaire for ALC is deliberately limited in order to protect victims in case they are collaborating with the police or serving as a witness.

1D. Some prostitutes have been fined under the 2003 LSI.

While the maximum fine under the law is 3,750 euros, OCRETH estimates that the average fine is about 300 euros. The government believes that bringing the victims in off the street accomplishes two goals: 1) it is an opportunity for the police or an NGO to encourage him/her to file a complaint against his/her trafficker(s) and 2) taking the victim off the street for a night or a day deprives the trafficker of income.

**E.** See above, authorities encourage victim participation in trafficking investigations and prosecutions.

**F.** OCRETH did not have figures for all of France for 2005, but in Paris, the government issued 306 temporary residence permits, of which 197 were renewable. The GoF does not/not have a witness protection program by which it could, for example, disguise the identity of victims for reinsertion into society.

**G.** The fight against child sex tourism is a mandatory element of the training that students in French tourism schools undertake to receive their degrees.

**H.** Post is not aware of any instances of repatriated French trafficking victims.

**I.** There are numerous NGOs in France that work with adult and child victims of trafficking, prostitution, child sex tourism, and forced labor. A few of the more prominent are (organizations centered in Paris unless noted otherwise):

Amis du Bus des Femmes - (Friends of the Women's Bus). NGO that works with prostitutes, both trafficked and untrafficked, to provide care and to help reinsert them in a non-prostitute life. The NGO drives its equipped bus to locations frequented by victims; it provides medical attention but also seeks to be a refuge for victims in hopes of helping them extricate themselves from slavery.

Amicale du Nid - Founded in 1946, NGO that works on the streets to aid prostitutes and provide shelter, training, and other assistance in Paris, Lyon, Toulouse, Marseille, Grenoble, and Montpellier. Has a bus service, Intermede.

Association Against Child Prostitution (ACPE) - Supports shelters for child prostitution victims in the Philippines and Guatemala. Provides training for French tourism students on sexual tourism involving children. Supports legal cases against French nationals prosecuted for engaging in sexual acts abroad with minors.

Association of Places of Accompaniment (ALC), Nice - Created in 1913, ALC provides social services in the Alpes-Maritime department of France. Its specialized Service for Prevention and Social Readaptation (SPRS) provides assistance to people in prostitution and victims of human trafficking. It coordinates multiple preventative programs. SPRS provides street work (social workers, public health workers, and cultural mediators go on the streets from 8 pm to 3 am), counseling, vocational guidance and follow-up, cultural and linguistic mediation (SPRS staff speak several of the languages of trafficked victims), awareness and information campaigns, professional training, and runs a national network of protection for victims of trafficking known as Ac.Se. (Secure Welcome). SPRS Director Patrick Hauvuy works tirelessly to help trafficking victims and to raise the level of services available to victims both within France and within Europe broadly as well. He is extremely active in visiting source countries and working with NGO personnel and authorities there.

Committee Against Modern Slavery (CCEM) - Founded in 1994, the CCEM helps victims of domestic servitude. Since its inception, the CCEM has helped about 300 victims; CCEM officials estimate they take on about 30 new cases each year. In July 2005, the French state was found guilty in a CCEM-sponsored case at the European Court of Human Rights of having failed to adequately protect a young Togolese woman.

ECPAT France - NGO that works to combat sex tourism involving children, affiliated with the international ECPAT network. ECPAT France was founded in 1992. ECPAT works within an international network. In France it is very active with Air France, which sells goods for which the proceeds go to Ecpat, and shows on its buses to Paris airports a video warning of the potential judicial consequences of engaging a minor for sex abroad (making the point that French nationals are bound by French law on the matter even outside French territory).

Esclavage Tolerance Zero (Marseille) - Works with CCEM in Paris, but focuses also on sex slaves in addition to domestic slavery.

Fondation Scelles - Founded in 1993, fights against prostitution and trafficking in persons. Has a very strong legal research team, which publishes on pan-European legal

schema for combating trafficking. Also works with NGOs in source countries.

Mouvement du Nid - Part, along with Amicale du Nid, of Nid (Nest), which seeks to create a society without prostitution. It is present in most regions of France, and in some other countries (Brazil, Portugal, Belgium, and Cote d'Ivoire).

Terre d'Asile - Founded in 1971 to promote the daily use of the right of asylum, follow the evolution of legal dispositions and administrative measures relating to asylum, help welcome refugees and asylum-seekers, and advocate a policy of social and professional readaption.

La Voix de l'Enfant - "Voice of the Child," Founded in 1981. Its goal is "To Listen to and Defend Childhood in Distress in France and in the World." Works in several different fields, including combatting sex tourism involving children. Has several affiliate organizations as well.

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<http://www.state.sgov.gov/p/eur/paris/index.cfm>

Stapleton